REMARKS

Reconsideration of the present application in view of the foregoing amendments and the following remarks is respectfully requested. Claims 1-44 were presented for initial examination in the present application, claims 7 and 27 of which have been cancelled without prejudice, and claims 1 and 21 are hereby presently amended. Support for the amendments may be found in the specification such as, for example, at page 6, lines 16-31.

The Applicants would like to express appreciation to the Examiner for the Telephonic Interview of August 27, 2004.

The Office Action rejected claims 1-6, 8-26, 28-38, 40-41 and 43-44 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 5,528,261 to Holt et al. (hereinafter the "'261 Holt patent"). In response, the Applicants respectfully submit that the present pending claims are patentable over the '261 Holt patent and that such patent fails to disclose or suggest all of the elements of the claimed invention.

First, with respect to present claim 1, the Applicants respectfully submit that present claim 1 reads on a method in which "at least one data set describing the color impression of at least one color sample...[is coded] into a pure text format...[and stored]...in [a] color information file in a pure text format, such that all the information data associated with the at least one color sample and identifying, characterizing, and supplementing the at least one color sample are stored as information data in a pure text format". In contrast, the '261 Holt patent distinctly reads on peripheral color devices (14) for providing and/or receiving color information

to and/or from a data processor (12) [*col. 4, lines 65-67, col. 5, lines 1-2*]. Each peripheral device (14) operating in a given color space, has its own individual color gamut and color profile [*col. 5, lines 22-24*]. The color data provided by each device (14) is stored in the data processor (12) for use by an operating system color architecture (54) [*col. 5, lines 41-43*]. This color architecture (54) [*note: not the color data*] may be written into an object-oriented programming language (e.g., C and C++). The color architecture represents data objects that represent color, or objects that contain color, in many different forms *with varying types of data format* without changing the overall architecture (54) [col. 6, lines 21-27].

Accordingly, based at least on the foregoing, the Applicants respectfully submit that the '261 Holt patent fails to disclose or suggest the invention as defined by present claim 1. That is, the '261 Holt patent does not disclose or suggest, *inter alia*, a method in which *at least one data set describing the color impression* of at least one color sample *is coded or converted into a pure text format* and that is *stored in a color information file in a pure text format* so that *all the information data associated with the at least one color sample, including identifying data, characterizing data, and/or supplementing or complementing data*, are stored as information data in a pure text format, as defined by present claim 1. Thus, reconsideration and withdrawal of the stated rejection and allowance of claim 1 are respectfully requested by the Applicants.

With respect to claims 2-6 and 8-20, which depend either directly or indirectly from claim 1, the Applicants respectfully submit that such claims are patentable over the '261 Holt patent at least for the reasons discussed above with respect to claim 1. Accordingly,

reconsideration and withdrawal of the rejection of claims 2-6 and 8-20 are also respectfully requested.

With respect now to present claim 21, the Applicants respectfully submit that present claim 21 reads on a process for communicating information relevant for visual color impression of a color sample set having at least one color sample in which "information relevant for visual color impression represented by at least one of measured data and manually produced value data [is coded] into pure text [and stored in a pure text format]...at a transmitter end in a color information file...wherein all the information data associated with the at least one color sample and identifying, characterizing, and supplementing the at least one color sample [is] stored as information data in a pure text format". The '261 Holt patent, as previously stated, distinctively reads on peripheral color devices (14) cooperative with a data processor (12) having a color architecture (54) for representing color data objects in many different forms *with varying types of data format* without changing the overall architecture (54) [see above].
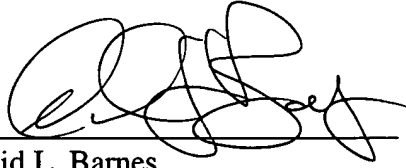
The Applicants respectfully submit that, as with claim 1, the '261 Holt patent fails to disclose or suggest the invention as defined by present claim 21. That is, the '261 Holt patent does not disclose or suggest, *inter alia*, a process in which information relevant for visual color impression (i.e., *all the information data associated with the at least one color sample and identifying, characterizing, and supplementing the at least one color sample*) is *both coded and stored in a pure text format*, as defined by present claim 21. Thus, reconsideration and withdrawal of the stated rejection and allowance of claim 21 are respectfully requested by the Applicants.

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With respect to claims 22-26 and 28-38, 40-41 and 43-44, all of which depend either directly or indirectly from claim 21, the Applicants respectfully submit that such claims are patentable over the '261 Holt patent at least for the reasons discussed above with respect to claim 21. Accordingly, reconsideration and withdrawal of the rejection of claims 22-26 and 28-38, 40-41 and 43-44 are likewise respectfully requested.

The Office Action also rejected claims 39 and 42 under 35 U.S.C. 103(a) as being unpatentable over the '261 Holt patent in view of U.S. Patent No. 6,515,690 to Back et al. (hereinafter the "'690 Back patent"). In response, the Applicants respectfully submit that claims 39 and 42, each of which depends from claim 21, are patentable over the cited reference combination at least for the reasons discussed above with respect to claim 21. That is, the '690 Back patent, which was cited for purportedly disclosing "an object oriented system using XML (Extensible Markup Language) files to output desired display attributes stored in the files that correspond to system input" [*see, Action, page 9, part 4*], fails to overcome the shortcomings of the '261 Holt patent identified and discussed previously with respect to claim 21. Accordingly, the Applicants respectfully request reconsideration and withdrawal of the rejection of claims 39 and 42, and allowance thereof.

In sum, it is respectfully submitted that the present pending claims are each patentable over the art cited in the Action and that the application is in condition for allowance. Accordingly, reconsideration and withdrawal of all rejections/objections and allowance of all claims are respectfully requested.

Respectfully submitted,

Date: September 14, 2004

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